

**BOEHM, KURTZ & LOWRY**

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**Via Overnight Mail**

May 3, 2006

Beth A. O'Donnell, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**RECEIVED**

**MAY 04 2006**

**PUBLIC SERVICE  
COMMISSION**

**Re: Case No. 2006-00129**

Dear Ms. O'Donnell:

Please find enclosed the original and twelve (12) copies of the Petition to Intervene of Kentucky Industrial Utility Customers, Inc. in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,



David F. Boehm, Esq.  
Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment

cc: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by first-class postage prepaid mail, to all parties on the 3<sup>rd</sup> day of May, 2006.

Honorable Elizabeth E. Blackford  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204  
[betsy.blackford@law.state.ky.us](mailto:betsy.blackford@law.state.ky.us)

Honorable Elizabeth L. Cocanougher  
Senior Corporate Attorney  
Kentucky Utilities Company  
c/o Louisville Gas & Electric Co.  
P. O. Box 32010  
Louisville, KY 40232-2010

Honorable Kendrick R. Riggs  
Ogden, Newell & Welch, PLLC  
1700 PNC Plaza  
500 West Jefferson Street  
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Mr. Michael S. Beer  
VP - Rates & Regulatory  
Kentucky Utilities Company  
c/o Louisville Gas & Electric Co.  
P. O. Box 32010  
Louisville, KY 40232-2010



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David F. Boehm, Esq.  
Michael L. Kurtz, Esq.

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter Of: Examination By The Public Service : Case No. 2006-00129  
Of The Environmental Surcharge Mechanism Of Kentucky Utilities :  
Company For The Six-Month Billing Periods Ending July 31, 2003 :  
January 31, 2004, January 31, 2005, July 31, 2005, January 31, 2006 :  
And For The Two Year Billing Periods Ending July 31, 2004 :

**RECEIVED**

MAY 04 2006

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**PETITION TO INTERVENE  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

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**PUBLIC SERVICE  
COMMISSION**

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. ("KIUC") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who purchase electricity from Kentucky Utilities Company ("KU") and who will participate herein are: Bundy, Clopay Plastic Products Company, Dow Corning Corporation, Lexmark International, Square D Company, Toyota Motor Manufacturing, North America, Inc., and MeadWestvaco. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.
  
2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC for electricity. Electricity represents a significant cost of doing business for KIUC. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

David F. Boehm, Esq.  
Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
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[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

**WHEREFORE**, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



Michael L. Kurtz, Esq.

David F. Boehm, Esq.

**BOEHM, KURTZ & LOWRY**

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**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

May 3, 2006